

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office **FEB 23 1995**

Returned to applicant for correction

Corrected application filed **FEB 23 1995** Map filedThe applicant **Ilean Francis/Bendickson****4808 Allen Road** of **Fallon**
Street and No. or P.O. Box No. City or Town**Nevada 89406** hereby make application for permission to change the
State and Zip Code No.**place of use of a portion** Point of diversion, manner of use, and/or place of useof water heretofore appropriated under **Truckee-Carson Irrigation District No. 138 & 79**
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and**United States of America v. Orr Water Ditch Co. in Equity No. A. 3 Claim No. 3;**
Identify right in Decree.**United States of America v. Alpine Land & Reservoir Co. D.C. No. D-183 BRT**

1. The source of water is **Truckee River & Carson River**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **32.03 Acre Feet**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **as decreed**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **as decreed**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **Lahontan Dam being within the SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 33, Township 19 North, Range 26 East, M.D.B.&M.**
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within **no change**
If point of diversion is not changed, do not answer.
7. Proposed place of use **NW $\frac{1}{4}$ -NE $\frac{1}{4}$ (1.15 Ac) NE $\frac{1}{4}$ -NE $\frac{1}{4}$ (1.30 Ac.) Sec. 23, T. 18N, R. 28E;
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
SE $\frac{1}{4}$ -SE $\frac{1}{4}$ (6.70 Ac.) Sec. 6, T. 18N, R. 28E. M.D.B.&M a total of 9.15 Acres**
8. Existing place of use **SE $\frac{1}{4}$ -SE $\frac{1}{4}$ (9.15 Ac.) Sec 14, T. 18N. R. 28E. M.D.B.&M**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from **as decreed** to _____ of each year.
Month and Day Month and Day
10. Use was permitted from **as decreed** to _____ of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **dam, canal & ditches**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be delivered to the proposed place of use via the "A" Line Canal

This application places additional water rights on application No. 55766

Compared sm/jk jr/bk

Protested _____

By s/ Barry A. Fitzpatrick

Barry A. Fitzpatrick

137 Keddie Street

Fallon, Nevada 89406

S.W.R.S. #817

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second, but not to exceed 32.03 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before August 23, 1996

Proof of completion of work shall be filed before September 23, 1996

Application of water to beneficial use shall be made on or before August 23, 1999

Proof of the application of water to beneficial use shall be filed on or before September 23, 1999

Map in support of proof of beneficial use shall be filed on or before September 23, 1999

Completion of work filed FEB 21 1996

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 23rd day of August,

A.D. 19 95

R. Michael Turnipseed
State Engineer